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ONTARIO

STATEMENT BY THE HONOURABLE JOHN ROBARTS

PRIME MINISTER OF ONTARIO

Re

Report of the Royal Commission

on

Metropolitan Toronto

Queen's Park

January 10, 1966

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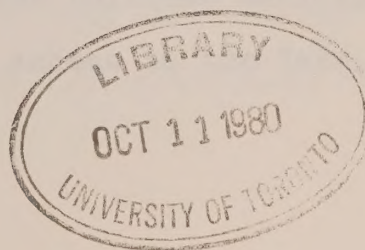
On Tuesday, June 15th, 1965, Dr. H. Carl Goldenberg, Q.C., delivered to the Government his Report of the Royal Commission on Metropolitan Toronto.


From that date the Government has given the Report the full attention and exhaustive study which such an important, far-reaching, imaginative and constructive document must receive. It is only by this means that the most advantageous decisions may be reached.

Such decisions, affecting as they will not only the people of the Toronto area, but the well-being, stability and prosperity of the entire Province of Ontario, must be in the best interests of all concerned.

Before dealing with the Report in detail, I should like to set this discussion in perspective by going back a few years and reviewing briefly the most significant events that led to the appointment of the Commission.

In the period beginning with the economic depression of the 1930's and extending throughout World





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War II, many millions of dollars of expenditure on essential services required by the municipalities were necessarily postponed. However, the need for these services did not diminish. Rather, it grew. The result was a vast backlog of much-needed public works to be faced in the post-war years.

Added to this was an almost unbelievable mushrooming of development, especially in the Toronto suburban areas. In the words of the Goldenberg Report:

"Caught in the post-war 'population explosion' and the waiting backlog of services, the area, fragmented into 13 municipal units, was faced with economic, financial and social crises and the problem of political organization. The rapidly expanding suburbs urgently required increased services of all kinds, and, more particularly, water, sewage disposal, roads, and, above all, schools. Most serious were the problems of water supply and sewage facilities. All the water must come from Lake Ontario and all sewage must drain into it, but only six of the thirteen municipalities have direct physical access to the lake.

The lack of proper sewage facilities became a menace to public health and serious water shortages forced occasional curtailment of the use of water in the suburbs. Arterial road development was grossly inadequate to handle the rapidly increasing volume of traffic. Public transportation and the existing highway network were poorly integrated. The need for new school facilities was staggering. Other services had to be expanded to meet the requirements of a phenomenal post-war growth."

Through the years, there has been a growing recognition of a need to tackle these problems. In 1935, for example, A.F.W.Plumptre, of the Department of Political Economy, University of Toronto, urged, in a report to the Minister of Municipal Affairs, that the urban areas be unified. In 1949, the Toronto and York Planning Board recommended the unification of the City of Toronto with the other seven municipalities lying between the Humber River and the Township of Scarborough. In the same year, a committee of the Civic Advisory Council of Toronto put forward alternative proposals, one of which was the creation of a metropolitan form of government for the area.

Then, in 1953, following an extremely lengthy and controversial hearing, the Ontario Municipal Board, under the chairmanship of Dr. L.R. Cumming, Q.C., issued its decisions and report dealing with applications for amalgamations filed by the City of Toronto, the Town of Mimico, and the Town of Long Branch. This historic document, which has come to be known as the Cumming Report, gave rise to the creation of the Municipality of Metropolitan Toronto under the authority of The Municipality of Metropolitan Toronto Act of 1953.

It was to be expected, of course, that the sweeping changes in the established system of local government introduced by this legislation would not be received with unqualified support on all sides. Inevitably, there have been many suggestions and proposals for further change in the ensuing years. However, the fact is that this new form of government has an impressive record of achievement and progress.

The original statute has not remained unchanged. There has been an amending statute presented to the Legislature every year since 1955. Each was designed to improve and strengthen the system of metropolitan government and to enable that government to deal more effectively with its problems.

During these years, the Government of this Province has accepted full responsibility for all the amendments which have been effected. It has always given full consideration to every proposal for change, with due regard to the considered views of each municipal council and of the Metropolitan Council. Every proposal has been meticulously weighed in the light of its potential effect upon the fundamental principle of federation itself. Over the years, the views of the various elected bodies have reflected both the growth of a better understanding of the principle of federation and a determination to study carefully the financial and administrative implications of each proposal put forward.

In keeping with the relevant provisions contained in The Municipality of Metropolitan Toronto Act, studies and inquiries into the affairs of the Metropolitan Corporation and its various boards have been carried out from time to time.

In 1957, a committee composed of the Chairman of the Ontario Municipal Board and four members of the Legislature conducted extensive public hearings, as a result of which it issued a unanimous report indicating wide-spread support for the metropolitan principle.

It also made a number of recommendations relating to matters which it felt might be improved, some of which have since been implemented.

In addition, a committee was appointed by this Government in late 1962 "to study and report on the overall transportation policy for Metropolitan Toronto and surrounding municipalities." This committee is well advanced in its studies. These have already resulted in legislation establishing special railway commuter services along the north shore of Lake Ontario between the municipalities of Burlington and Dunbarton. The necessary legislation was passed at the last session of the Legislature. Rolling stock has been ordered and other important aspects of the implementation of the legislation are well advanced, in the full expectation that these new commuter services will come into operation in late 1966 or early 1967.

Another important study that is underway and which will be of great importance to this area is that of the Ontario Committee on Taxation appointed by Order-in-Council in early 1963. Its terms of reference cover "The taxation and revenue system of the Province of Ontario and its municipalities and school boards in relation to their expenditures, the tax and revenue

sources available to them, their debts and other obligations, with a view to determining whether ... such tax and revenue system is as simple, clear, equitable, efficient, adequate and as conducive to the sound growth of the Province as can be devised".

Under such broad terms of reference, it is obvious that this Committee's findings will have an important impact on Metropolitan Toronto and its special financial problems. The report of this Committee will be available soon.

Even with the widely-recognized success of the federated system of government established by The Municipality of Metropolitan Toronto Act and its subsequent amendments, there developed, over the years, requests for adjustments. These resulted in renewed applications for amalgamations of some of the suburbs and a renewed application to the Ontario Municipal Board on behalf of the City of Toronto asking for amalgamation of the city and the suburbs.

As a result of these events, the Government decided in 1963 to undertake to review the structure and function of the government of Metropolitan Toronto in the light of its first ten years of existence.

The necessary legislative action was taken to terminate, for the time being, the powers of the Ontario Municipal Board with respect to annexations and amalgamations within Metropolitan Toronto. Then, in keeping with a commitment made when this legislation was introduced on April 18th, 1963, I announced on June 18th of that year the appointment of Dr. H. Carl Goldenberg as a one-man Royal Commission to undertake a special study of the form of government under which Metropolitan Toronto had been operating since January 1st, 1954. The result was the Goldenberg Report, as it has come to be known.

In the months since it was issued it has received exhaustive study. The most detailed analysis has been carried out by the Minister of Municipal Affairs and his officials who have been fortunate to have available the advice and experience of Dr. L.R. Cumming, Q.C., who, it will be recalled, was Chairman of the Ontario Municipal Board and principal author of the report of 1953 and whose interest in all matters pertaining to the government of Metropolitan Toronto has continued unabated through the years.

Nor were our studies confined to the Report itself. We have had the benefit of approximately one hundred submissions from members of the Legislature, municipal

councils, boards, commissions, rate-payers' associations and others concerned in this all-important undertaking.

Having studied the Report in the light of these representations, the Government has reached its conclusions as to the action to be taken.

Before stating the Government's position, there are two matters to which reference must be made.

First, I wish to pay tribute to the outstanding and brilliant work of Dr. Goldenberg. His Report has more than justified the faith which we have always had in the wisdom of this remarkable Canadian and in his ability to probe, to analyze, and to present solutions in matters which have to do with sensitive public negotiations and with the problems of government.

His Report has provided a well-founded base from which the Government has been able to go steadily forward to reach the decisions which I am about to relate. Furthermore, we have continued to consult with Dr. Goldenberg in coming to our final conclusions. For his counsel and co-operation we are most grateful.

While the position of the Government may not coincide with the recommendations of Dr. Goldenberg on all

points, we accept and endorse the main principles which he advocates: the continuation of the two-level federated system of metropolitan government; the consolidation of constituent municipalities rather than total amalgamation; an increase in the authority and responsibilities of the government of Metropolitan Toronto; a Metro-wide uniform school tax levy to provide a basic education programme for the Metropolitan area; and, a reform of the system of representation.

Second, we have chosen to state our position at this time in order that the fullest discussion of our decisions on Metropolitan Toronto can take place before the necessary amendments to The Municipality of Metropolitan Toronto Act are enacted by the Legislature.

I shall now proceed to outline the Government's conclusions and some of the considerations behind them.

In making his recommendation that the two-level, federated form of government for Metropolitan Toronto be continued, Dr. Goldenberg recognized the soundness of the decision taken some thirteen years ago to create the Municipality of Metropolitan Toronto. He also recognized the outstanding record of accomplishment of that form of government, first under the genius and leadership of

Mr. Frederick G. Gardiner, Q.C., as its first Chairman, and then under the able guidance of the present Chairman, Mr. William R. Allen, Q.C. With the Commissioner's conclusion that the Municipality of Metropolitan Toronto should be continued, the Government is in complete accord. The Government is also in accord with Dr. Goldenberg's view that the thirteen area municipalities should not be amalgamated but consolidated.

Having accepted the principle of the continuance of the two-level form of metropolitan government and the principle of consolidation, the Government is of the view that the thirteen municipalities should be consolidated to form six municipalities, composed of the City of Toronto and five Boroughs.

The City of Toronto will consist of the present City with which will be consolidated the Villages of Forest Hill and Swansea, with a combined population of more than 681,500.

The Borough of Etobicoke will consist of the present Township of Etobicoke, with which the Towns of Mimico and New Toronto and the Village of Long Branch will be consolidated. Its total population will be nearly 239,000.

The Borough of York will consist of the present Township of York, with which the Town of Weston will be consolidated. Its total population will be about 138,700.

The Borough of North York will be the present Township of North York with a population of some 341,500.

The Borough of East York will consist of the Township of East York, with which will be consolidated the Town of Leaside, giving it a total population of about 90,700.

The Borough of Scarborough will be the present Township of Scarborough with a population of 253,300.

We accept the recommendation of the Goldenberg Report that each Borough will be treated as a township for the purposes of road subsidies.

In this connection, we are aware of the necessity for a province-wide system to assure equitable distribution of these funds to all areas of the Province. It is the intention of the Government to review the subsidy policy when we have received the report of the Ontario Committee on Taxation.

METROPOLITAN COUNCIL

The Metropolitan Toronto Council will be continued with a total membership of 33, i.e., 32 members

who are also members of local councils, plus a Chairman to be elected by the Metropolitan Council. The City of Toronto will continue to be represented by twelve members on the Metropolitan Council, including its Mayor. The representation of each of the Boroughs will be based upon the 1964 assessed population of the City of Toronto (as enlarged) divided by twelve. On this basis each Metropolitan Councillor will represent some 55,000 - 60,000 residents.

Accordingly, representation on Metropolitan Council will be as follows:

City of Toronto	-	12
Borough of Etobicoke	-	4
Borough of York	-	3
Borough of North York	-	6
Borough of East York	-	2
Borough of Scarborough	-	5
- a total of 32 members, plus the Chairman.		

The members of the Metropolitan Council in the case of each municipality will include the Mayor ex officio. The present provisions of The Municipality of Metropolitan Toronto Act with respect to the appointment of the Chairman of the Metropolitan Council will remain unchanged.

In the City of Toronto and any municipality with a Board of Control, as presently constituted, every member of the Board of Control will be ex officio a member of the Metropolitan Council. Any additional members allocated to a municipality will be appointed by the municipal council prior to the statutory organizational meeting of the Metropolitan Toronto Council following each election. If in any municipality the number of members of the Board of Control, including the Mayor, exceeds that municipality's allotment of Metropolitan Council members, then the appropriate number of members of the Board of Control receiving the highest number of votes at the most recent election will represent such municipality on the Metropolitan Toronto Council. In a municipality with no Board of Control, the member or members of Metropolitan Council, other than the Mayor, will be appointed by the municipal council from among its members.

BOARDS OF CONTROL

In our view, there should be no change in the present discretionary powers of the local municipalities in Metropolitan Toronto which enable them to decide whether or not they should operate with Boards of Control or Executive Committees. Although the Commissioner referred to certain advantages in the replacement of Boards of Control

by Executive Committees in the local metropolitan municipalities, this has to be considered in the light of municipalities outside the Metropolitan Toronto area where Boards of Control have operated effectively for decades.

The Commissioner recommended that the Executive Committee of Metropolitan Council should be retained. With this the Government is in accord, but we are of the view that a more equitable distribution of representation would be achieved by increasing its membership. Accordingly, the appointment of an Executive Committee with the powers of a Board of Control will be mandatory. It will be composed of eleven members: the Chairman of the Metropolitan Toronto Council, the Mayor of the City, the Mayor of each Borough, and the four members of the Toronto Board of Control. The Chairman will continue to be entitled to vote as a member of the Committee.

PARTIALLY GRADED EXEMPTIONS

The Commissioner recommended that the partially graded exemptions for dwelling houses in Toronto and New Toronto should be abolished in stages over a five-year period. This could well remain within the discretion of the municipalities concerned. Accordingly, the City of Toronto and the Borough of Etobicoke will continue to have the power

to abolish partially graded exemptions but with the added authority of staging the abolition over a five-year period.

CONSOLIDATION OF STAFFS

In consolidating municipal staffs, every effort must be made by the municipalities to offer comparable employment and wages to all employees and existing standards of wages and employment should be protected so far as possible.

EXTENSION OF MUNICIPAL FRANCHISE

The Commissioner's recommendation that the municipal franchise should be uniform in all area municipalities is accepted. The franchise has already been extended, in accordance with The Municipal Franchise Extension Act, to all but three of the present municipalities in the Metropolitan Toronto area, the exceptions being the Town of Weston, the Village of Swansea, and the Township of Scarborough. The largest of these, the Township of Scarborough, recommended extension of the municipal franchise in its brief to the Government.

TERM OF OFFICE

The Government accepts the Commissioner's recommendation that the term of office of the Mayors, the municipal councils, the Metropolitan Council, and the Metropolitan and local School Boards be increased to three years.

REVIEW OF REPRESENTATION ON METROPOLITAN COUNCIL

To maintain the principle of "representation by population", there must be reviews of representation in the light of population changes within Metropolitan Toronto. However, stability must be maintained if the proposed re-organization is to be successful. Therefore, the first review of population and representation will take place after the third, but before the fourth triennial election.

CONSOLIDATION ORDER

The present statutory powers of the Ontario Municipal Board with respect to amalgamations will apply so far as the proposed consolidation of municipalities is concerned. These consolidations will be treated as if they were amalgamations and in the same manner as if the Board had ordered the consolidations and the order had been confirmed by the Lieutenant Governor in Council. The Board's powers will be modified accordingly.

MINOR BOUNDARY CHANGES

In 1963 an amendment to The Municipality of Metropolitan Toronto Act repealed the Board's authority to hear or determine applications involving changes in boundaries of any of the existing area municipalities. Because of the possibility of some minor difficulties being created by the new consolidations, some relaxation of the relevant provisions

is desirable. To this end, the Ontario Municipal Board will be given power to hear and determine applications for minor boundary changes.

BOUNDARIES AND FRINGE AREAS

We are in agreement with the recommendations of the Commissioner that the boundaries of Metropolitan Toronto should not be extended at this time.

Pending receipt of the report of the Ontario Committee on Taxation, no action should be taken on the recommendations with respect to adjustments in grants to the so-called "dormitory" municipalities outside the present metropolitan area.

PLANNING BOARDS

With respect to planning, it appears that most of the proposals made by Dr. Goldenberg can be put into effect without substantial amendments to either The Planning Act or The Municipality of Metropolitan Toronto Act. On some matters, however, the Commissioner's recommendations would involve substantial changes in the Government's present policy with respect to the organization and operation of the planning function.

As they are constituted in this Province, Planning Boards are intended to be advisory bodies.

The political responsibility for the actual adoption and implementation of Official Plans of development and of land use zoning by-laws rests on municipal councils, with the right of appeal to the Ontario Municipal Board on contentious matters. If the Planning Boards were replaced by a committee of council, all planning and zoning would have to be initiated by the individual municipal councils themselves and considered and decided by them without the benefit of the advice of a planning body. Experience has shown that the value of recommendations from a competent Planning Board with its own planning staff, the majority of whom are neither elected members of a council nor officials, serves best to bring before the council and electors in every issue an independent, professional point of view. Accordingly, Planning Boards will be retained.

As a further protection of the interests of the municipalities, it is proposed, as recommended by the Commissioner, to provide a statutory requirement that adequate notice shall be given to all municipalities affected by a recommendation of the Metropolitan Planning Board before that recommendation is adopted by the Metropolitan Council. This will entitle the interested municipalities within the Metropolitan Planning Area to attend or to be represented when any planning matters of concern to them are being considered.

METROPOLITAN AND LOCAL SERVICES

The Commissioner has made recommendations directed to the Metropolitan Toronto Council with respect to certain metropolitan and local services, such as ROADS, TRAFFIC MANAGEMENT, PARKS AND RECREATION, JOINT FINANCING OF SEWER RENEWALS, and POLICE. In most instances, the changes suggested can be readily implemented within existing legislation. These are important matters to which the Metropolitan Council will undoubtedly direct its early attention.

WELFARE

Welfare, including both mandatory and optional services and administration under The General Welfare Assistance Act and related legislation, will be transferred to the Metropolitan Toronto Council.

AMBULANCE SERVICES

Responsibility for the provision of an area-wide public emergency ambulance service will be placed under the jurisdiction of the Metropolitan Toronto Council.

WASTE DISPOSAL

The Metropolitan Toronto Council will be given responsibility for all waste disposal, with power to establish disposal facilities anywhere in the Metropolitan Toronto area

or within a reasonable distance beyond its limits, subject to suitable controls for the protection of the interests of local municipalities. Provision will be made for disputes to be settled by the Ontario Municipal Board.

ADMINISTRATION OF JUSTICE

The Commissioner's recommendations respecting the administration of justice, with special reference to Metropolitan Juvenile and Family Court and court facilities, is a subject for negotiation between the Province and the Metropolitan Corporation.

LICENSING

The views of Dr. Goldenberg concerning licensing within the Metropolitan Toronto area have been thoroughly reviewed. It is the Government's conclusion that the Metropolitan Licensing Commission is operating with success and efficiency. Any changes which are considered appropriate by the Metropolitan Council can be effected by it without statutory amendments.

FIRE PROTECTION

The Government accepts the recommendation of the Commissioner that fire protection should remain the responsibility of the area municipalities. The reduction in the number of municipalities from thirteen to six will

result in a high degree of unification, resulting in improved fire protection services. Further unification can be studied by the Council of Metropolitan Toronto in the light of experience.

EDUCATION

The sections of the Goldenberg Report dealing with education involve some of the most complex and vexing problems of government, not only in the Metropolitan Toronto region, but throughout the entire Province. Particularly detailed study has, therefore, been devoted to the relevant sections of the Report in an effort to achieve solutions that will be in the best interests of our citizens.

A successful solution to the educational problems of Metropolitan Toronto can be achieved only through a continued application of the principles which have guided education in this Province from the beginning. One of these principles has been local control of education as far as practicable.

Accordingly, we propose: first, to continue the local control of education as far as practicable with a local Board of Education in the City of Toronto and one in each of the new Boroughs. These Boards will have broad powers sufficient to enable them to deal with the requirements

of an effective education programme; second, the continuance of the existing two-level structure with a Metropolitan School Board having broad powers of control and co-ordination of finance.

Membership of the Metropolitan School Board will be based on the principle of representation by population. The Board will be composed of six members from the Board of Education of the City of Toronto, three members from the Board of the Borough of North York, two each from the Boards of the Boroughs of Scarborough and Etobicoke, one each from the Boards of the Boroughs of York and East York, and three representatives of the Metropolitan Separate School Board, all appointed by the local Boards. The total membership of the Metropolitan Toronto School Board will therefore be eighteen.

We accept the recommendation of the Goldenberg Report that to equalize educational opportunities to a greater extent through the use of the total resources of Metropolitan Toronto, the Metropolitan School Board will have the responsibility of reviewing and co-ordinating all local school board budgets and providing, through Metro-wide taxation, the funds required by the local school boards for their basic educational requirements.

The Metropolitan School Board will, after examination of the estimated current expenditures of the local boards, vary the amount of its allocation of funds in accordance with the variations in local requirements and the Metropolitan School Board's capacity to provide funds. The local boards will be given limited opportunity to supplement the major metropolitan levy by local levy.

Co-ordination of capital financing has already been in effect over the past ten years and no major change in this is planned. The Metropolitan Toronto School Board will continue to be responsible for financing the cost of capital improvements, including construction of new schools, additions, renovations, and sites, up to a uniform ceiling formula. Local school boards wishing to exceed the formula for capital purposes may continue to do so through a local levy, but limits will be placed on this levy.

The Metropolitan Corporation will assume the local school debt of the local municipalities outstanding as of December 31st, 1966.

Section 145 (3) of The Municipality of Metropolitan Toronto Act now provides for an appeal to the Ontario Municipal Board in respect only of proposed

capital expenditures. The legislation will be amended to provide for an appeal to the Board for the settlement of disputes with respect to financial aid for both capital and current costs.

LIBRARIES

The Government accepts the recommendation of the Commissioner for the establishment of a Metropolitan Toronto Library Board. This Board will have as its major function the development of central and regional reference resources and the co-ordination of local library facilities.

* * *

The Government sees no reason, at this time, why the proposed re-organization of the area municipalities and Metropolitan Toronto Council and School Boards should not come into effect for all purposes on January 1st, 1967.

We believe this can be done in such a way that the normal elections for the new consolidated municipal councils and school boards can take place in December, 1966, with the new councils and school boards being organized in the normal way to hold office for a uniform three-year term commencing January 1st, 1967. This will permit the new Metropolitan Toronto Council, in turn, to be organized as now provided in the legislation.

If this is to be accomplished, certain parts of The Municipality of Metropolitan Toronto Act dealing with division or redivision into wards, the preparation of new voters lists and similar matters will come into effect on Royal Assent with a view to the earliest possible applications for the necessary approval of the Ontario Municipal Board for the creation of new wards. The co-operation of existing councils and their officials for this purpose is confidently expected.

There would appear to be no reason why the municipalities concerned could not begin studies of the necessary re-organization of municipal staffs and services well in advance of the effective date of the proposed consolidations through joint committees of both elected and appointed officials representing the municipalities concerned. Similarly, the re-organization of staff resulting from the transfer of certain local functions to the Metropolitan Corporation can begin. The experience gained in 1953 and 1954 with the creation of the Metropolitan Corporation and in 1957 with the unification of the police forces should be invaluable in effecting the transition smoothly and efficiently.

It is not possible in this brief statement of the Government's intentions to spell out in detail the

amendments which will be necessary to bring into effect the re-organization which is proposed. The Municipality of Metropolitan Toronto Act is, by its very nature, a lengthy and complex piece of legislation and it has, as previously stated, been amended annually since the passage of the original Bill 80 in 1953.

With this announcement of the Government's intentions, the task of preparing an amending Bill for submission to the Legislature at the earliest possible time can now begin. The amending Bill will necessarily be more extensive than any previous amendment.

Following the introduction of the Bill, there will be ample opportunity for the Members of the Legislature to debate in the House the principles of the Bill.

